

Amendment Under 37 C.F.R. § 1.111
Application No.: 09/680,419
Attorney Docket No.: Q60879

REMARKS

Upon entry of this amendment, claims 1-13 are all the claims pending in the application. By this Amendment, Applicant amends claims 1, 2 and 6. Claims 1 and 2 have been amended solely for the purpose of improved readability and clarity. Since such amendments are made to correct minor, basic elements, Applicant submits that that they do not narrow the scope of the claim and do not raise any Festo implications.

In addition, Applicant adds claims 7-13. Claims 7 and 8 are clearly supported by at least Fig. 17, where it is shown that data may be sent via communication line from the display drafting apparatus 90 to the controller 92, and from the controller 92 to the display 91 (see Figs. 17 and 18; page 31, line 18 to page 33, line 8 of the specification). Claims 9-11 are supported by at least Fig. 4, where it is shown that by selecting a device (e.g. device number and symbol) before selecting display components, mode and function, the conventional step of temporarily memorizing the device when performing drafting while making the control program is eliminated (see page 18, line 11 to page 20, line 25 of the specification).

Similarly, claim 12 is supported by at least Fig. 8 allowing the drafter to change the device selected at a later stage (see page 22, lines 10 to 24). Claims 13-14 are supported by at least Fig. 9, where it is shown that drafting operation can be interrupted at any stage in the loop in order to save the display or control data (see page 23, line 5 to page 25, line 7). Finally, claim 15 is supported by at least Figs. 11 and 12, where it is shown that the drafting apparatus has a function as the display drafting apparatus and the function as the control program schema

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generator within one unit (see page 25, lines 9 to 20). Applicant respectfully submits that the embodiments in the specification are illustrative and non-limiting; as such, they do not limit the breadth of the claims.

Preliminary Remarks

Applicant thanks the Examiner for initialing the Information Disclosure Statement, Form 1449A.

Applicant, also, notes with interest that the Examiner acknowledges the claim for priority under 35 U.S.C. §119(e), as well as the receipt of “some” of the certified copies. However, Applicant has only made one claim to foreign priority, from the priority document 2000-100989 filed on October 6, 2000. Therefore, the Examiner is respectfully requested to acknowledge receipt of all of the certified copies (1) in support of the priority claim.

Summary of the Office Action

The Examiner has objected to the Specification and the Drawings. Claims 1-6 are rejected under 35 U.S.C. § 112, second paragraph, claims 1, 3-5 under 35 U.S.C. § 102(b) and claim 2 under 35 U.S.C. § 103(a).

Objection to the Specification

The Examiner objected to the Specification because Abstract of Disclosure contains extensive mechanical and design details. In particular, the Examiner objected to the Abstract of Disclosure for using references such as ST30, ST3, etc. Applicant herein amends the Abstract of

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Disclosure to delete these references. In view of these self-explanatory amendments to the Specification, Applicant respectfully requests the Examiner now to withdraw this objection.

Objection to the Drawings

The Examiner has objected to Figures 12 and 19-25 for failing to designate that it is prior art. To address the Examiner's concern, Applicant amends Figures 19-25 to label them PRIOR ART. Replacement sheets for Figures 19-25 accompany this response. The Examiner is respectfully requested to acknowledge receipt and indicate approval of the drawing corrections in the next Patent Office paper.

However, with respect to Figure 12, Applicant respectfully disagrees with the Examiner's objection. Figure 12 illustrates an illustrative, non-limiting embodiment of the present invention. Specifically, Applicant respectfully points to the dotted lines on the left of the sequence diagram screen 50 and the empty space around the screen 50. That is, Fig. 12 shows an exemplary sequence diagram in the illustrative embodiment of a display unit with multi-windows (see specification, page 25, lines 9 to 20). Therefore, Applicant respectfully requests the Examiner to withdraw the objection to Figure 12.

Claim Rejections under 35 USC § 112

The Examiner rejected claims 1-6 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicant regards as the invention.

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Specifically, claim 1 is rejected for insufficient antecedent basis and for using the phrase “such as”. Applicant thanks the Examiner for pointing out, with particularity, the aspects of claim 1 thought to be indefinite. Applicant respectfully requests the Examiner to withdraw this rejection of claim 1 in view of the self-explanatory claim amendments being made herein.

Claim 2 is rejected for insufficient antecedent basis. Applicant thanks the Examiner for pointing out, with particularity, the aspects of claim 2 thought to be indefinite. Applicant respectfully requests the Examiner to withdraw this rejection of claim 2 in view of the self-explanatory claim amendment being made herein.

With respect to claim 6, Applicant does not understand why the Examiner found the scope difficult to ascertain and why it was not examined on the merits. However, for further clarity, Applicant amends the claim by splitting original claim 6 into a new independent claim 6 directed to a display drafting system and new dependent claims 7 and 8. In light of these amendments, Applicant respectfully requests the Examiner to withdraw this rejection of claim 6 and to examine it on the merits.

Claim Rejections under 35 USC § 102(b)

The Examiner rejected claims 1 and 3-5 under 35 U.S.C. § 102(e) as being anticipated by Applicant's admitted prior art (hereinafter “prior art”). Applicant respectfully traverses this rejection and respectfully requests the Examiner to reconsider this rejection in view of the comments, which follow.

Of these claims, only claim 1 is independent. Claim 1, as now amended, recites:

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wherein the means for selecting are used to select a device before the means for setting up are used to set up the display drafting information...

The Examiner asserts that claim 1 is directed to a display drafting apparatus and is anticipated by admitted prior art. The Examiner asserts that the prior art's selection of a device means and display drafting means are equivalent to means for selecting a device and means for displaying drafting information, respectively, as set forth in claim 1 (see page 3 of the Office Action). Applicant respectfully disagrees with the Examiner. Applicant has carefully reviewed the prior art's discussion of the select device means and display drafting means (Figs. 20 and 21), which are not similar to selecting a device before setting up the display as set forth in claim 1.

Applicant respectfully points to Fig. 24, which shows a drafting procedure using a conventional display drafting apparatus shown in Figs. 20-23. It is clear that a device is selected after setting up the display drafting information. For example, this procedure starts from step ST30 of selecting the display component, then continues to step ST31 of arranging the selected display components, then setting up the display mode and function ST5 and ST6, and only then to a device selecting step ST1. Moreover, there is no link between the control program and drafting and as such the device has to be selected twice, once for the control program and once for drafting (page 5, lines 1 to 15 of the specification). As a result, this procedure is inconvenient for drafting concurrently with making a control program (page 6, lines 2 to 5 of the specification). In short, when creating both a control program and drafting, this conventional prior art requires temporarily memorizing the device (page 6, lines 10 to 16). However, if the

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device is selected prior to drafting, it can be used for both the control program and the drafting; as a result, no temporary memorizing is needed.

Therefore, the means for selecting, used to select a device before the means for setting up are used to set up the display drafting information..., as set forth in claim 1 is not suggested or taught by the prior art, which lacks selecting a device before setting up the display area. For at least these reasons, Applicant respectfully submits that independent claim 1 is patentably distinguishable from the prior art. Applicant therefore respectfully requests the Examiner to withdraw this rejection of independent claim 1. Also, Applicant respectfully submits that claims 3-5 are allowable at least by virtue of their dependency on claim 1.

Claim Rejections under 35 USC § 103(a)

Claim 2 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over admitted prior art in view of Tsushima et al. (USP 5,999,213) (hereinafter “Tsushima”). Applicant respectfully traverses this rejection. Applicant has already demonstrated that the prior art does not meet all of the requirements of independent claim 1.

Tsushima teaches an apparatus for setting up an electronic device, which has a memory for storing parameter setting image data for establishing one or more parameters with respect to a controlled device (see Abstract). Tsushima teaches displaying a parameter setting image of a plurality of parameters that can be established with respect to the controlled device and at the same time deciding whether input information is entered or not, and modifying the controlled device accordingly (col. 1, lines 40 to 53).

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However, Tsushima deals with modifying a displayed image by altering its parameters. The reference fails to teach or suggest any kind of display drafting means. Moreover, it fails to teach or suggest *means for selecting a device before the means for setting up are used to set up the display drafting information*. In addition, there is no motivation to combine the admitted prior art and Tsushima. The admitted prior art teaches a display for indicating the operation condition of a controller system, whereas Tsushima deals with a process of setting up an electronic device such as a video camera.

Clearly, Tsushima does not compensate for the above-identified deficiencies of the admitted prior art. Together, the combined teachings of these references would not have (and could not have) led the artisan of ordinary skill to have achieved the subject matter of claim 1. Since claim 2 is dependent upon claim 1, it is also patentable at least by virtue of its dependency.

New Claims

In order to provide more varied protection, claims 7-15 are added. Applicant respectfully submits that claims 7 and 8 are allowable at least by virtue of dependency on claim 6. Independent claim 6 recites similar limitations to claim 1, and is patentable at least for similar reasons.

New independent claim 9 is clearly patentable over the prior art in view of its requirement of setting up display drafting information for a selected device after the device is selected. Claims 10-15 are patentable at least by virtue of their dependency on claim 9.

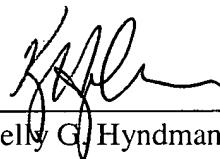
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Conclusion and request for telephone interview.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly invited to contact the undersigned attorney at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

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